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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,481	07/24/2003	Matvey B. Shpizel	50028-00005	1308
7590 06/15/2005			EXAMINER	
MARSH FISCHMANN & BREYFOGLE LLP			LEE, GUIYOUNG	
3151 S. VAUGHN WAY #411			ART UNIT	
AURORA, CO 80014			PAPER NUMBER	
			2875	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

6m

Office Action Summary	Application No.	Applicant(s)	
	10/626,481	SHPIZEL, MATVEY B.	
	Examiner	Art Unit	
	Guiyoung Lee	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,6-13 and 24-42 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24-42 is/are allowed.
- 6) ☒ Claim(s) 1,4,6,12 and 13 is/are rejected.
- 7) ☒ Claim(s) 7-11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Prelim./Amdt.

1. Receipt is acknowledged of the Preliminary amendment filed 10/04/2004.
2. Claims 1, 4, 6-13, 24-42 are pending, and claims 2-3, 5, 14-23 have been cancelled.

Priority

3. This application discloses and claims only subject matter disclosed in prior Application No. 10/029,453, filed 12/20/2001, and names an inventor or inventors named in the prior application. Accordingly, this application may constitute a continuation or division. Should applicant desire to obtain the benefit of the filing date of the prior application, attention is directed to 35 U.S.C. 120 and 37 CFR 1.78.
4. This application filed under former 37 CFR 1.62 lacks the necessary reference to the prior application. A statement reading "This is a Continuation of Application No. 10/029,453, filed 12/20/2001." should be entered following the title of the invention or as the first sentence of the specification. Also, the current status of the parent nonprovisional application(s) should be included.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 4, 6, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Little (US 4,739,456) in view of J. Whyte (US 1,427,505).

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Re claims 1, 4, 6, 12 and 13: Little disclose a light source (14), a concave reflector (24), a lens projection system (40 and 42), and the light source, reflector and lens system being substantially aligned relative to an optical axis (18) such that a light beam emitting from the device is collimated into a substantially parallel light beam having a diameter less than the diameter of the reflector (See Fig. 3). Further, Little disclose a diaphragm (30) disposed between the source (14) and the lens projection system (40 and 42). Little does not disclose a collecting lens. J. Whyte teaches that a collecting lens (12 in Fig. 1) is located between a light source (15) and a reflector (2). J. Whyte further teaches the collecting lens is a biconvex lens. It would have been obvious to one having ordinary skill in the art at the time of the invention to employ Whyte's collecting lens between the light source and the concave reflector as Whyte taught so that the light source is positioned behind the reflector and as a result the reflector can reflect all light beams emitted from the light source outside of the reflector.

Allowable Subject Matter

7. Claims 24-42 are allowed.
8. Claims 7-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. The following is a statement of reasons for the indication of allowable subject matter:
With regard to claims 11 and 24, the prior art of record fails to disclose a light device having a light source, a reflector, and a lens projection system, configured as claimed wherein a collecting lens between the light source and the reflector, wherein the collecting lens is movable along the

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optical axis relative to the light source and the reflector. With regard to claims 8 and 30, the prior art of record does not disclose a light device having a light source, a reflector, and a lens projection system, configured as claimed, wherein a collecting lens between said light source and said reflector, wherein said collecting lens is disposed a distance d_1 , from said source relative to said optical axis and said reflector is disposed a distance d_2 from said source relative to said optical axis, where $d_1 \geq \frac{1}{2} d_2$. With regard to claims 9 and 34, the prior art of record does not teach a light device having a light source, a reflector, and a lens projection system, configured as claimed, wherein a collecting lens disposed at a distance, d_1 , from said reflector relative to said optical axis, where $0.25 l \leq d_1 \leq 0.5 l$, and wherein said collecting lens is disposed between said light source and said reflector. With regard to claims 7 and 38, the prior art of record does not teach a light device having a light source, a reflector, and a lens projection system, configured as claimed, wherein a collecting lens between said light source and said reflector, said collecting lens having a focal length of l_2 between about 1.25 and about 2.0 times the focal length l_1 of said reflector. With regard to claim 11, the prior art of record does not teach that a diameter of the collecting lens is at least as great as a diameter of the reflector.

Conclusion

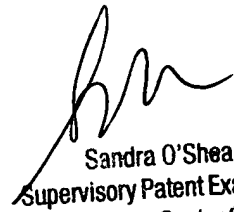
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guiyoung Lee whose telephone number is 571-272-2374. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LGY



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800